

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	CERTIFICATION OF A
)	SEXUALLY DANGEROUS PERSON
WALLACE SPRATLING,)	
Register Number 46052-079,)	
)	
Respondent.)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 13th day of February, 2007.

George E. B. Holding
United States Attorney

BY: /s/ Michael Bredenberg
Michael Bredenberg
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N.C. Bar # 26068

CERTIFICATE OF SERVICE

This is to certify that I have this 13th day of February, 2007, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Wallace Spratling
Reg. No.: 46052-079
FMC Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Federal Public Defender's Office
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27611

/s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Civil Division

CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, John D. Baxter, am Interim Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Wallace Spratling, Register Number 46052-079, is in Bureau custody at the Federal Medical Center in Butner, North Carolina, serving a 60-month federal term of imprisonment and three years supervised release, following his conviction for Possession of Child Pornography Involving the Sexual Exploitation of Minors in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2256(8)(A) and Receipt of Child Pornography Involving the Sexual Exploitation of Minors in violation of 18 U.S.C. §§ 2252A(a)(2)(A) and 2256(8)(A) (Criminal Docket No. 3:02CR00018-001 (Southern District of Texas)). The offense conduct in this case involved inmate Spratling soliciting and receiving video tapes of child pornography. Inmate Spratling's release date is February 13, 2007.

(3) Based on a review of inmate Spratling's Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

(A) Inmate Spratling previously engaged or attempted to engage in the sexually violent conduct or child molestation as evidenced by his self admission that he sexually assaulted 22 children, raped 5 adult females, attempted to rape one female, and fondled [REDACTED] [REDACTED].

(B) A limited psychological review of inmate Spratling indicated Axis I diagnoses of Pedophilia, Sexually Attracted to Males and Females, Nonexclusive Type (302.2), Sexual Sadism (302.84), Voyeurism (302.82, Fetishism (302.81), and Polysubstance Dependence with Physiological Dependence, Sustained Full Remission (304.80), and an Axis II diagnosis of Antisocial Personality Disorder (301.7).

(C) Inmate Spratling's previous offense conduct, self admissions, the commission of contact and non-contact sexual offenses on unrelated victims and male victims, hypersexuality, continued masturbation to deviant sexual fantasies involving male and female children, continued creation of child pornography while in an inpatient treatment program, collecting child pornography while being treated on an outpatient basis in the community, and a limited response to psychological and psychiatric treatments for sexual deviance, indicate he will have serious difficulty refraining from sexually violent conduct or child

molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



John D. Baxter, Ed.D.
Interim Chairperson
Certification Review Panel
Federal Bureau of Prisons

2/12/07
Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
WALLACE SPRATLING,)	
Register Number 46052-079,)	
)	
Respondent.)	

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the

appropriate fees and expenses to witnesses so subpoenaed.

The Court further ORDERS the appointment of an additional mental health examiner to be selected by the Respondent. Respondent is DIRECTED to file notice with the Court of the name of the additional mental health examiner within five days of the filing of this order.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____ 2007. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2007.

W. EARL BRITT
Senior U.S. District Judge